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SIPDIS

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TAGS: PHUM PGOV CO KHUM

SUBJECT: COLOMBIA: STATUS OF THREE HIGH PROFILE COURT CASES

Classified By: Ambassador William B. Wood. For reasons 1.4 (b&d)

1. (C) In three high profile criminal cases, Colombian Army (COLAR) members have been detained in connection with alleged extrajudicial killings of 29 civilians, charged with narco-related corruption that led to the deaths of 10 counternarcotics police, and a former Justice Minister is on trial for his part in the 1990 assassination of presidential candidate Luis Carlos Galan. The more aggressive GOC role in investigating human rights violations, in moving to transfer military cases to the civilian judiciary, and in seeking to protect the rights of individuals in criminal proceedings, is a positive sign.

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MOD DETAINS 18 SOLDIERS FOR HUMAN RIGHTS VIOLATIONS  
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2. (C) On July 5, the Ministry of Defense announced that 18 members of the Army were detained in connection with extrajudicial killings of 29 alleged civilians in Antioquia. Carlos Franco, Director of the Vice President's Human Rights Program, said the indictments were part of the MOD's efforts to "vindicate" the military justice system in the wake of widespread criticism of ineffectiveness and recent proposals to transfer more responsibility to the Prosecutor General's Office in these cases. Franco added that Carmen Rosa Villa, director of the United Nations High Commissioner for Human Rights Office (UNHCHR), called him personally to congratulate him on the GoC's efforts.

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JAMUNDI PENAL PROCESS CONTINUES  
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3. (C) A civilian court charged 15 members of the High Mountain Battalion, including the commander, for the May 22 killings of ten elite counternarcotics police in Jamundi, Valle del Cauca Department. The 15 suspects were detained in two phases, one group on June 1 and the other on June 17. Although the Army initially claimed the killings were a result of friendly fire, further investigations suggested the ambush was carried out at the behest of local narcotraffickers. Following the killings, President Uribe proposed a reform that would transfer investigative power to the civilian Prosecutor General for military crimes (details of this plan are scheduled to be announced in July).

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EX-MINISTER AWAITS JUDGMENT FOR GALAN ASSASSINATION  
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4. (U) Ex Justice Minister Alberto Santofimio is on trial for complicity in the 1990 assassination of presidential candidate Luis Carlos Galan. The Procurator General's office (which plays a public interest role in protecting rights in criminal proceedings) called for Santofimio's acquittal based on a lack of credibility of the prosecution's star witness, John Jairo Velasquez, aka "Popeye." Popeye, a former lieutenant of drug kingpin Pablo Escobar, accused Santofimio of plotting Galan's murder with Escobar. The prosecutor in the case maintains that Popeye's testimony is credible and that Santofimio should be convicted. The judge is expected to rule by the beginning of August.

WOOD